

1 COOLEY LLP  
STEPHEN C. NEAL (170085) (nealsc@cooley.com)  
2 PATRICK E. GIBBS (183174) (pgibbs@cooley.com)  
3175 Hanover Street  
3 Palo Alto, California 94304-1130  
Telephone: +1 650 843 5000  
4 Facsimile: +1 650 849 7400

5 Attorneys for Defendants  
TESLA, INC., ELON MUSK, BRAD W. BUSS,  
6 ROBYN DENHOLM, IRA EHRENPREIS,  
ANTONIO J. GRACIAS, JAMES MURDOCH,  
7 KIMBAL MUSK, and LINDA JOHNSON RICE

8 LEVI & KORSINSKY, LLP  
ADAM M. APTON (SBN 316506)  
9 ADAM C. MCCALL (SBN 302130)  
75 Broadway, Suite 202  
10 San Francisco, CA 94111  
Telephone: (415) 373-1671  
11 Facsimile: (212) 363-7171

12 Attorneys for Lead Plaintiff  
13 GLEN LITTLETON and the Class

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION  
17

18  
19 IN RE TESLA, INC. SECURITIES  
20 LITIGATION

Case No. 3:18-cv-04865-EMC

**JOINT CASE MANAGEMENT  
STATEMENT**

Date: November 18, 2021  
Time: 11:30 a.m.  
Judge: Hon. Edward M. Chen

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23  
24 Lead Plaintiff Glen Littleton (“Lead Plaintiff”) and Defendants Tesla, Inc., Elon Musk, Brad  
25 W. Buss, Robyn Denholm, Ira Ehrenpreis, Antonio J. Gracias, James Murdoch, Kimbal Musk, and  
26 Linda Johnson Rice (“Defendants”) (collectively, Lead Plaintiff and Defendants are referred to as  
27 the “Parties”) submit this Joint Case Management Statement under the Standing Order for All  
28 Judges of the Northern District of California and Civil Local Rule 16-10(d).

1 The last status conference in this matter occurred on April 15, 2021, during which the Court  
2 ordered a further status conference to occur on November 18, 2021. (ECF No. 317.)

3 **1-7. JURISDICTION AND SERVICE, FACTS, LEGAL ISSUES, MOTIONS,**  
4 **AMENDMENT OF PLEADINGS, EVIDENCE PRESERVATION, DISCLOSURES.**

5 There have been no updates to these categories since the Parties' last joint case management  
6 statement, filed April 8, 2021. (ECF No. 316.)

7 **8. DISCOVERY.**

8 The Parties have substantially completed fact discovery. Remaining fact discovery  
9 includes: the Lead Plaintiff's deposition; the completion of a non-party witness's deposition; and  
10 the resolution of a pending dispute concerning Defendants' assertion of attorney-client privilege  
11 and work product claims. In addition, Lead Plaintiff served his objections and responses to  
12 Defendants' interrogatories on November 4, 2021. Defendants have identified certain deficiencies  
13 in Lead Plaintiff's objections and responses, and will raise them shortly.

14 The Parties continue to conduct discovery in good faith. At this time, the Parties do not  
15 believe judicial intervention is required with respect to any discovery disputes, except potentially  
16 for the Parties' dispute over Defendants' privilege claims, as referenced above. In addition, the  
17 Parties also intend to resolve outstanding issues with respect to the "confidentiality" designations  
18 of various documents exchanged in discovery.

19 **9. CLASS ACTIONS.**

20 On May 24, 2021, the Court granted the Parties' stipulation regarding the form, content,  
21 and method of providing notices to the Class. (ECF No. 326.) On October 22, 2021, the notice  
22 administrator informed the Court of the notice efforts. (ECF No. 345.)

23 **10-16. RELATED CASES, RELIEF, SETTLEMENT AND ADR, CONSENT TO**  
24 **MAGISTRATE JUDGE FOR ALL PROCEEDINGS, OTHER REFERENCES,**  
**NARROWING OF ISSUES, EXPEDITED TRIAL PROCEDURE.**

25 There have been no updates to these categories since the Parties' last joint case management  
26 statement, filed April 15, 2021. (ECF No. 316.)

27 **17. SCHEDULING.**

28 On October 8, 2021, the Court entered a modified scheduling order setting forth the dates

for expert disclosure and reports, and dispositive motions. (ECF No. 341.) Pursuant to the modified scheduling order, the Parties would exchange opening expert reports on November 5, 2021 and rebuttal expert reports on December 3, 2021. Due to deposition scheduling issues, the Parties agreed at Plaintiff's request to an extension of the deadline for the exchange of opening expert reports. The Parties exchanged their opening expert reports but anticipate mutually agreeing to a brief extension of the date for rebuttal expert reports.

**18-20. TRIAL, DISCLOSURE OF NON-PARTY INTERESTED ENTITIES OR PERSONS, PROFESSIONAL CONDUCT.**

There have been no updates to these categories since the Parties' last joint case management statement, filed April 15, 2021. (ECF No. 316.)

Dated: November 12, 2021

COOLEY LLP

By: /s/ Patrick E. Gibbs  
Patrick E. Gibbs

Stephen C. Neal (170085)  
Patrick E. Gibbs (183174)  
Samantha A. Kirby (307917)  
3175 Hanover Street  
Palo Alto, CA 94304-1130  
Telephone: (650) 843-5000  
Facsimile: (650) 849-7400  
Email: nealsc@cooley.com  
pgibbs@cooley.com  
skirby@cooley.com

Sarah M. Lightdale (*pro hac vice*)  
Brian M. French (*pro hac vice*)  
Bingxin Wu (*pro hac vice*)  
55 Hudson Yards  
New York, NY 10001-2157  
Telephone: (212) 479-6000  
Facsimile: (212) 479-6275  
Email: slightdale@cooley.com  
bfrench@cooley.com  
bwu@cooley.com

*Attorneys for Defendants Tesla, Inc., Elon Musk,  
Brad W. Buss, Robyn Denholm, Ira Ehrenpreis,  
Antonio J. Gracias, James Murdoch, Kimbal  
Musk, and Linda Johnson Rice*

1 Dated: November 12, 2021

LEVI & KORSINSKY, LLP

2 By: /s/ Adam M. Apton

3 Adam M. Apton

4 Adam M. Apton (316506)  
5 Adam C. McCall (302130)  
6 75 Broadway, Suite 202  
7 San Francisco, CA 94111  
8 Telephone: (415) 373-1671  
9 Facsimile: (212) 363-7171  
10 Email: aapton@zlk.com  
11 Email: amccall@zlk.com

12 Nicholas I. Porritt (admitted pro hac vice)  
13 Alexander A. Krot III (admitted pro hac vice)  
14 1101 30th Street NW, Suite 115  
15 Washington, D.C. 20007  
16 Telephone: (202) 524-4290  
17 Facsimile: (212) 363-7171  
18 Email: nporritt@zlk.com  
19 Email: akrot@zlk.com

20 Joseph Levi (admitted pro hac vice)  
21 Eduard Korsinsky (admitted pro hac vice)  
22 55 Broadway, 10th Floor  
23 New York, New York 10006  
24 Tel: (212) 363-7500  
25 Fax: (212) 363-7171  
26 Email: jlevi@zlk.com  
27 Email: ek@zlk.com

28 Pursuant to Civil Local Rule No. 5-1(i)(3), all signatories concur in filing this Joint Case  
Management Statement.

Dated: November 12, 2021

COOLEY LLP

By: /s/ Patrick E. Gibbs

Patrick E. Gibbs